REMARKS

The Office Action dated June 19, 2009, has been received and carefully noted. The above amendments and the following remarks are being submitted as a full and complete response thereto. Reconsideration of the application is respectfully requested.

Claims 10-17 are pending in this application, of which Claims 10 and 15 are independent claims. No amendments have been made at this time.

In the Office Action, Claims 10-17are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,609,251 to Yoneda ("Yoneda"). Applicants respectfully traverse the rejections for the following reasons.

Claim 10 recites a digital <u>receiving</u> apparatus, comprising:

an information separating unit for reproducing a stream of demodulation signal, and separating it into stream signals on multiplexed respective channels for output,

a decoding unit for decoding and outputting said stream signals,

<u>a control unit for switching and controlling a stream signal for the decoding unit to decode out of the stream signals on said respective channels, and</u>

<u>a storing unit for storing matching information for indicating matching relationship between physical information for indicating reception quality and the data types of the stream signals on the respective channels,</u>

wherein said control unit determines the matching relationship between said physical information during reception and the data type of the stream signal on a channel selected out of said channels based on said matching information, and switches to the stream signal on another channel and makes said decoding unit decode it when the control unit determines that said physical information during reception and the data type of the stream signal on said selected channel do not conform to a predetermined relationship.

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According to Claim 10 and paragraphs [0034] to [0038] of the specification, the control unit determines the matching relationship between the physical information during reception and the data type of the stream signal on a channel selected out of the channels based on the matching information which is stored in the storage unit and indicating reception quality, and switches to the stream signal on another channel and makes the decoding unit decode it when the control unit determines that the physical information during reception and data type of the stream signal on the selected channel do not conform to a predetermined relationship.

The features as mentioned above allows the reception to be switched to another channel when the reception quality deteriorates and then the matching relationship between physical information and the data types of the stream signals on a selected channel do not conform to the predetermined relationship, so that the users can obtain the useful information without interruption under a condition of more favorable reception quality. (See paragraphs [0040] to [0041] of the specification.)

Yoneda, however, discloses a conventional digital broadcasting reproducing apparatus as mentioned in col. 20, lines 6-35 and col. 23, line 46 to col.24, line3 of Yoneda, which includes:

> a non-interlace video decoding unit 3 for decocting the non-interlace video data separated by a separating unit 2;
>
> an identification information storage unit 5 for storing scanning method information of the video data separated by the separating unit 2; and
>
> a scanning method instruction unit 7 for giving an instruction as to which the video data separated by the separating unit 2 should be decoded, by the non-interlace video decoding unit 3 or by an interlace video decoding unit 4, on the basis of the scanning method information stored in the identification information storage unit 5;

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whereby the video data is reproduced in a receiving side by
switching either the non-interlace video decoding unit 3 or the
interlace video decoding unit 4 depending on the scanning method
to be transmitted.

Yoneda teaches that either the non-interlace video decoding unit 3 or the

interlace video decocting unit 4 is used to reproduce video data depending on the

scanning method information stored in the identification information storage unit 5.

However, Yoneda does not teach nor suggest at least the combinations of

features that "the control unit determines the snatching relationship between the

physical information during reception and the data type of the stream signal on a

channel selected out of the channels based on the matching information, and switches

to the stream signal on another channel and makes the decoding unit decode it when

the control unit determines that the physical information during reception and the data

type of the stream signal on the selected channel do not conform to a predetermined

relationship," as recited in Claim 10.

Regarding the control unit, Yoneda as cited by the Examiner discloses (see col.

5, lines 11-19) that "the viewer selects a desired program" and also that "the selection is

obtained by the program selecting unit 5a". However, such control means is not "a

control unit for switching and controlling a stream signal for the decoding unit to decode

out of the stream signals on the respective channels," as recited in Claim 10.

Regarding the storage unit, Yoneda as cited by the Examiner discloses (see col.

22, lines 45-53) that "it is decided that the service 1 or 3 is an interlace service ... based

on the information of the NIT stored in the identification information storage unit 5",

which clearly describes that the identification information storage unit 5 stores the

scanning method. On the other hand, however, the storing unit recited in claim 10

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stores "matching information for indicating matching relationship between physical information for indicating reception quality, and the data types of the stream signals on the respective channels." Therefore, the data stored in the identification information storage unit 5 of Yoneda is completely different from the data stored the storing unit of the present invention.

At least based on the above, Yoneda does not teach nor suggest the combination of features of Claim 10 of the present invention. Thus, Claim 10 is not anticipated by Yoneda and is allowable over the cited art.

Claim 15 is a method claims that discloses similar features of Claim 10. Therefore, for at least the same reasons with respect to Claim 10, Claim 15 is likewise allowable over the cited art.

As to Claims 11-14 and 16-17, which depend from allowable Claims 10 and 15, respectfully, it is submitted that these claims are also allowable over the cited art at least for the reasons set forth above with respect to Claims 10 and 17 and additional features recited therein.

CONCLUSION

Applicants respectfully submit that this application is in condition for allowance and such action is earnestly solicited. If the Examiner believes that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below to schedule a personal or telephone interview to discuss any remaining issues.

In the event that this paper is not being timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together

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with any additional fees that may be due with respect to this paper, may be charged to

Counsel's Deposit Account Number 01-2300, referencing Attorney Docket Number

107156-00350.

Respectfully submitted,

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